

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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**In re: BAIR HUGGER FORCED AIR  
WARMING DEVICES PRODUCTS  
LIABILITY LITIGATION**

**MDL No 15-2666 (JNE/FLN)**

**AFFIDAVIT OF BRENT AUGUSTINE**

This Document Relates to:  
All Actions

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1. My name is Brent Augustine. I am President of Augustine Temperature Management LLC.
2. The facts contained herein are within my personal knowledge (except when stated as being on information and belief) and are true and correct.
3. Shortly after we were served with document discovery General Counsel J. Randall Benham informed me of our obligation to preserve responsive documents. To the best of my knowledge all responsive documents have been preserved appropriately.
4. Because the unobjectionable document requests were generally not focused on aspects of the business for which I am responsible, I provided very few, if any, documents to Mr. Benham. I did assist Mr. Benham in identifying and reviewing documents found on the computer of a former employee, Mark Albrecht. As I learned second-hand from Mr. Benham and Andreas Deibel, Mr. Albrecht's computer simply appeared on our loading dock one morning a few months ago. Because the computer

was password protected, and we did not have the password, I approved Mr. Benham's request to engage our outside computer consultant to "crack" the computer.

Although this involved some expense, it seemed like our responsibility to access the computer if we could.

5. We succeeded in opening Mr. Albrecht's computer, and I assisted Mr. Benham in accessing and reviewing the files. It is my understanding that he produced to 3M's counsel all of the electronic documents that were responsive to 3M's discovery..

FURTHER AFFIANT SAYETH NOT

A handwritten signature in black ink, appearing to read "Brent Augustine", is written over a horizontal line. To the right of the signature, the date "11/10/16" is handwritten.

Brent Augustine